

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Dionisio A. Batista	<u>Debtor</u>	CHAPTER 13
Toyota Motor Credit Corporation	<u>Movant</u>	NO. 17-12419 REF
vs.		
Dionisio A. Batista	<u>Debtor</u>	
Frederick L. Reigle, Esq.	<u>Trustee</u>	11 U.S.C. Section 362

STIPULATION RESOLVING DEBTOR'S OBJECTION TO PROOF OF CLAIM

AND NOW, it is hereby stipulated and agreed by and between the undersigned as follows:

1. On May 24, 2017, Movant filed a Proof of Claim setting forth a secured claim total of \$23,851.79 regarding its commercial loan with Debtor for a Toyota Rav 4 bearing VIN number JTMRFREV0ED074145.
2. Debtor filed an Objection to Movant's claim disputing the secured claim total as the value of the subject property.
3. Upon careful review, Movant has agreed to adjust it's secured claim amount to \$18,800.00 at the interest rate of 5.75% for the remainder of the Bankruptcy Plan and will accept this amount from Debtor to pay the loan in full through the current Bankruptcy proceeding.
4. Within thirty (30) days of the filing of this Stipulation, Movant is to Amend its Proof of Claim to list a secured claim total in the amount of \$18,800.00 at an interest rate of 5.75% for the remainder of the Bankruptcy Plan.
5. Within sixty (60) days of the filing of this Stipulation, Debtor will amend their Chapter 13 Plan to include a secured claim total of \$18,800.00 plus interest at 5.75% to be paid to Movant as set forth in the Amended Claim which is to be filed.
6. Debtor's Objection to Movant's Claim is hereby resolved.

7. The parties agree that a facsimile signature shall be considered an original signature.

Date: February 2, 2018

/s/ Kevin G. McDonald, Esquire

Kevin G. McDonald, Esquire
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Date: _____

/s/ John A. DiGiambardino, Esq.

John A. DiGiambardino Esq.
Attorney for Debtor

Date: 2/8/18

Frederick L. Reigle, Esquire
Frederick L. Reigle, Esquire
Chapter 13 Trustee

Approved by the Court this _____ day of _____, 2018. However, the court retains discretion regarding entry of any further order.

Date: February 16, 2018



Bankruptcy Judge
Richard E. Fehling